

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Mathew E. Zupancic
Debtor(s)

Bankruptcy Case No.: 19-24551-GLT
Issued Per July 6, 2020 Proceeding
Chapter: 13
Docket No.: 60 – 26
Concil. Conf.: November 5, 2020 at 09:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 29, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,450 as of July 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Nov. 5, 2020 at 09:30 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Lakeview Loan Servicing, LLC (Claim No. 5); Borough of West Mifflin and West Mifflin School District (Claim No. 6) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

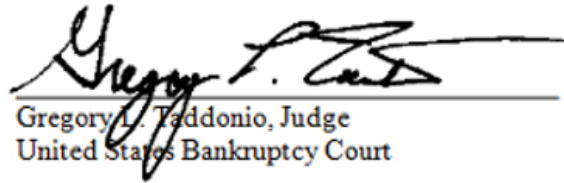
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: July 10, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Mathew E. Zupancic
 Debtor

Case No. 19-24551-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 30

Date Rcvd: Jul 10, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 12, 2020.

db +Mathew E. Zupancic, 4038 Irene Street, West Mifflin, PA 15122-2044
 cr +BOROUGH OF WEST MIFFLIN AND WEST MIFFLIN AREA SCHO, GRB Law, 437 Grant Street 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15195216 +Bor of West Mifflin & West Mifflin School District, GRB Law, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh PA 15219-6101
 15176477 +Indiana University Of PA, 1011 South Drive, Indiana, PA 15705-1046
 15162277 +James Wallace Esq., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
 15194091 +Lakeview Loan Servicing, LLC, PO Box 840, Buffalo, NY 14240-0840
 15176480 +M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
 15162280 +Peoples Gas Bankruptcy Dept., 375 N Shore Drive Ste 600, Attn: Dawn Linder,
 Pittsburgh, PA 15212-5866
 15176484 +Stonegate Mortgage Corp, 4849 Greenville Avenue, Dallas, TX 75206-4130
 15176487 Verizon Wireless, National Recovery Operations, Minneapolis, MN 55426

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15162274 +E-mail/Text: ally@ebn.phinsolutions.com Jul 11 2020 03:47:01 Ally Financial Lease Trust,
 PO Box 130424, Saint Paul, MN 55113-0004
 15184746 E-mail/Text: ally@ebn.phinsolutions.com Jul 11 2020 03:47:01 Ally Financial Lease Trust,
 PO Box 130424, Roseville MN 55113-0004
 15176471 +E-mail/Text: bankruptcy@achhq.com Jul 11 2020 03:47:13 American Credit Bureau,
 1200 N Federal Hwy, Boca Raton, FL 33432-2803
 15176472 +E-mail/Text: clientservices@credit-control.com Jul 11 2020 03:47:39 Central Loan Admin & R,
 Po Box 77404, Ewing, NJ 08628-6404
 15176473 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 11 2020 03:47:15 Comenitycb/petland,
 Po Box 182120, Columbus, OH 43218-2120
 15176474 +E-mail/Text: ebnnotifications@creditacceptance.com Jul 11 2020 03:47:05
 Credit Acceptance Corp, Po Box 5070, Southfield, MI 48086-5070
 15162275 +E-mail/Text: mrdiscen@discover.com Jul 11 2020 03:47:07 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15176475 +E-mail/Text: mrdiscen@discover.com Jul 11 2020 03:47:07 Discover Fin Svcs Llc, Pob 15316,
 Wilmington, DE 19850-5316
 15162276 +E-mail/Text: kbarkley@bernsteinlaw.com Jul 11 2020 03:47:57 Duquesne Light Company,
 c/o Keri Ebeck, Bernstein Law Firm, P.C., 707 Grant St. Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1900
 15192298 +E-mail/Text: kbarkley@bernsteinlaw.com Jul 11 2020 03:47:57 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15162278 E-mail/Text: JCAP_BNC_Notices@jcap.com Jul 11 2020 03:47:45 Jefferson Capital,
 PO BOX 7999, Saint Cloud, MN 56302
 15168773 E-mail/Text: JCAP_BNC_Notices@jcap.com Jul 11 2020 03:47:46 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15162279 E-mail/Text: camanagement@mtb.com Jul 11 2020 03:47:15 M&T BANK, PO Box 62182,
 Baltimore, MD 21264
 15176482 +E-mail/Text: clientservices@sourcerm.com Jul 11 2020 03:47:53 Source Receivables Mng,
 Po Box 4068, Greensboro, NC 27404-4068
 15176483 +E-mail/Text: appebnmailbox@sprint.com Jul 11 2020 03:47:34 Sprint, Customer Service,
 P.O. Box 8077, London, KY 40742-8077
 15176485 +E-mail/Text: mjoyce@triboro-fcu.org Jul 11 2020 03:48:02 Tri Boro Fcu, 600 E 8th Ave,
 Munhall, PA 15120-1900
 15162281 +E-mail/Text: mjoyce@triboro-fcu.org Jul 11 2020 03:48:02 Tri-Boro Federal Credit Union,
 600 East Eighth Avenue, Munhall, PA 15120-1900
 15182376 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 11 2020 03:46:37 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
 15176488 +E-mail/Text: bnc-bluestem@quantum3group.com Jul 11 2020 03:47:54 Webbank/gettington,
 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 19

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr LAKEVIEW LOAN SERVICING, LLC
 cr* +Duquesne Light Company, c/o Bernstein-Barkley, P.C.,
 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
 15176470* +Ally Financial Lease Trust, PO Box 130424, Saint Paul, MN 55113-0004
 15176476* +Duquesne Light Company, c/o Keri Ebeck, Bernstein Law Firm, P.C.,
 707 Grant St. Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1900
 15176479* ++JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999
 (address filed with court: Jefferson Capital, PO BOX 7999, Saint Cloud, MN 56302)
 15176478* +James Wallace Esq., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
 15176481* +Peoples Gas Bankruptcy Dept., 375 N Shore Drive Ste 600, Attn: Dawn Linder,
 Pittsburgh, PA 15212-5866
 15176486* +Tri-Boro Federal Credit Union, 600 East Eighth Avenue, Munhall, PA 15120-1900

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User: jhel
Form ID: 149

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Total Noticed: 30

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***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 12, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 10, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor LAKEVIEW LOAN SERVICING, LLC bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor BOROUGH OF WEST MIFFLIN AND WEST MIFFLIN AREA SCHOOL
DISTRICT jhunt@grblaw.com, cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor Mathew E. Zupancic ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 7